

**CITY OF TORRINGTON  
PLANNING AND ZONING COMMISSION  
MINUTES  
August 12, 2015**

Present: Richard Calkins, Chairman  
Paul Summers, Member  
Doris Murphy, Member and IWC Liaison  
Jim Bobinski, Alternate  
Jon Sheaffer, Alternate

Not Present: Greg Mele, Vice Chair  
Greg Perosino, Member  
Donna Greco, Alternate

Also Present: Martin Connor, AICP, City Planner

**1. Call to Order:**

Chairman Richard Calkins called the meeting to order at 7:00 p.m., Torrington City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

**2. Attendance/Announcement by Chairman:**

Chairman Calkins announced present and serving on this evening will be Commissioners Paul Summers, Jim Bobinski, Jon Sheaffer, Doris Murphy and Richard Calkins. Also present is City Planner Martin Connor.

- a. Report on Northwest Hills Council of Governments “Shaping Livable Communities and Promoting Aging in Place”

Mr. Connor reviewed some of the most interesting information he picked up at the above noted seminar Mr. Connor recently attended. This information may be useful when updating the Plan of Conservation and Development. It was a worthwhile program.

**3. Minutes for Approval:**

- a. 6/24/15

MOTION by Mr. Summers to approve the 6/24/15 minutes, seconded by Mr. Sheaffer. Motion carried with Ms. Murphy abstaining.

**4. Old Business:**

a. Enforcement Update

Mr. Summers updated the Commission on a motion he saw filed in June on the Alan Rosa/Red Oak Hill matter.

Mr. Connor noted the Andrighetti property on Main Street, and the recent fire at the site resulting in an unsafe structure being addressed by the Fire Marshal.

Chairman Calkins reviewed ZEO Rista Malanca's report (dated August 12, 2015) regarding Ed Kazmarcyk's property on 492 Prospect Street. The property owner does not seem to be acting on the violation. Ms. Malanca has asked the Commission to request a formal enforcement action on this property if the site is not in compliance by September 15, 2015. This comes with a request from Ms. Malanca to refer this matter to the Corporation Counsel.

Mr. Calkins also reviewed Ms. Malanca's report (dated August 12, 2015) on 761 Migeon Avenue, owned by Matthew Auer. On June 4, 2014 the City and the property owner entered into a stipulated judgment approved by the court. One of the agreements was that the property owner would pave his front parking area by December 1, 2014. The property owner has remained compliant with the rest of the stipulated judgment, but has not met this paving condition. Ms. Malanca has sent Mr. Auer a letter stating if it was not complete (or proof that it is scheduled) by August 22, 2015, then she will forward this matter to the Corporation Counsel for legal action. Ms. Malanca is requesting this Commission to authorize a formal enforcement action on this property if the site is not in compliance by August 22, 2015.

MOTION by Mr. Summers to request formal enforcement action on two properties, 492 Prospect Street if not in compliance by September 15, 2015, and 761 Migeon Avenue if not in compliance by August 22, 2015. Motion seconded by Ms. Murphy, unanimously carried.

**5. New Business:**

a. Site Plan 1162

Applicant: William T. Bednarz for Charlotte Hungerford Hospital  
Location: 540 Litchfield Street  
Proposal: Installation of Mobile MRI Unit

Tim Coon, Professional Engineer with J.R. Russo Associates appeared representing the Charlotte Hungerford Hospital. Also present are William Bednarz and Charles Capibianco from Charlotte Hungerford Hospital. The purpose of this site plan modification to prepare the hospital for the rare occurrence when the existing imaging equipment is down for repair, maintenance, etc. When the equipment is down, there is still a need for this service, and it is proposed there be a place on campus to locate a mobile imaging unit, MRI, PET scan, etc. on a trailer.

Mr. Coon referred to maps and provided details of the proposal.

Mr. Connor read his memo to the Commission dated August 7, 2015.

MOTION by Mr. Sheaffer

APPROVE Site Plan 1162

Applicant: William T. Bednarz for Charlotte Hungerford Hospital

Location: 540 Litchfield Street

Proposal: Installation of Mobile MRI Unit

The Commission grants a waiver from Sections 8.4.3 and 8.4.3.N of the Regulations, requiring an up-to-date Class A-2 survey, and requiring an informational table on the plans. Motion seconded by Mr. Summers, unanimously carried.

b. Zone Change

Applicant: Fazlay Rabbi

Location: 245 East Elm Street, Assessor Map 125 Block 6 Lot 11

Proposal: Currently zoned Industrial, proposed zone change to Local Business (set public hearing date)

MOTION by Mr. Summers to set a public hearing date of September 9, 2015, seconded by Ms. Murphy, unanimously carried.

**6. Public Hearings scheduled for 7:30 p.m.; Wednesday, August 12, 2015, City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT**

a. Resubdivision

Applicant: Mastercraft Custom Homes, LLC

Location: Tarringford Street

Assessors Map 252 Block 3 Lots 189, 190, 191, 192, 193, 194, 195, 196, 197 and 198

Proposal: Canfield Farms Resubdivision, from eleven (11) lots to three (3) lots

Chairman Richard Calkins opened the public hearing at 7:30 p.m. and stated serving this evening will be Commissioners Paul Summers, Doris Murphy, Jim Bobinski, Jon Sheaffer, and Richard Calkins. Also present is City Planner Martin Connor.

Commissioner Sheaffer read the legal notice that was published in the Republican American.

Kenneth Hrica, Professional Engineer and Licensed Land Surveyor in Litchfield appeared before the Commission representing the applicant. Mr. Hrica has already submitted the notification receipts to the Land Use Office, and verified that the public hearing sign was properly posted on the site.

Mr. Hrica made a presentation, with associated maps for the reduced resubdivision proposal, from 11 lots down to three lots.

Mr. Connor read his memo to the Commission dated August 3, 2015.

Mr. Calkins opened the hearing for public comments.

Several area residents appeared with questions and concerns regarding drainage, tree cutting, driveways, paving, etc. Responses were provided by Mr. Hrica, Mr. Calkins, and Mr. Connor.

One nearby property owner voiced favorable opinion on the reduction from eleven lots to three lots.

At 7:59 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Sheaffer to APPROVE Resubdivision

Applicant: Mastercraft Custom Homes, LLC

Location: Tarringford Street

Assessors Map 252 Block 3 Lots 189, 190, 191, 192, 193,  
194, 195, 196, 197 and 198

Proposal: Canfield Farms Resubdivision, from eleven (11) lots to  
three (3) lots

with the following conditions:

1. The responsibility for maintenance of the shared driveway to lots 2 and 3 shall be equally shared and the rights to pass and repass shall be granted to each of the two owners using the common driveway. The applicant's attorney shall submit a draft driveway maintenance and access easement agreement to be reviewed and approved by Corporation Counsel prior to filing on the Torrington Land Records.
2. Per Section 6.10 of the Subdivision Regulations all lot corners shall be marked by either iron pipes or monuments, installed and their locations certified by a licensed land surveyor prior to filing the recording mylar subdivision map.
3. The homeowners association created with the original subdivision approval and an easement to the City of Torrington are no longer needed. The applicant's attorney shall prepare a document, to be reviewed and approved by Corporation Counsel, dissolving both. The approved document shall be filed on the land records along with the approved resubdivision plans.
4. The applicant shall pay a fee, not to exceed 10% of the fair market value of the land to be resubdivided prior to the approval of the resubdivision. The fair market value of the land to be resubdivided shall be determined by an appraiser, jointly agreed upon by the applicant and Commission. He will determine fair market value of the land to be subdivided. The cost of the appraisal shall be paid by the applicant. The appraisal shall be completed prior to filing the subdivision plan on the Torrington Land Records. A fraction of the total fee (1/3) shall be paid to the City at the time each lot is sold or transferred.
5. The applicant shall address the comments from Assistant City Engineer Matt Walsh, P.E., as contained in his email to the City Planner dated 8/11/15.

6. The applicant shall address the comments from WPCA Administrator Ray Drew, as contained in his memo to the City Planner dated 8/11/15.

The Commission accepts fee-in-lieu of open space as part of the approval. MOTION seconded by Mr. Summers, unanimously carried.

- b. Special Exception 15-301  
Applicant: Harry Lambis  
Location: 1431 East Main Street  
Proposal: Tattoo Parlor in the Local Business Zone, Section 3.1,  
Subsection 4.2.2 (tattoo parlor, body piercing studio)

At 8:02 p.m. Chairman Calkins opened the public hearing and stated serving this evening will be Commissioners Paul Summers, Doris Murphy, Jim Bobinski, Jon Sheaffer, and Richard Calkins. Also present is City Planner Martin Connor.

Commissioner Sheaffer read the legal notice which was published in the Republican American.

Nicolas DeLeo of 451 Harwinton Avenue appeared before the Commission. Mr. DeLeo presented his certificate of mailing to the Chairman, and verified the public hearing sign was properly posted on the site.

Mr. DeLeo appeared and gave his presentation on how he plans to run a successful business in Torrington. Mr. DeLeo is awaiting receipt in the mail for his tattoo artist license, and he will present it to the Land Use Office when it arrives.

Mr. Connor reviewed his conversation with the Torrington Area Health District, and the requirements for tattoo licensing in Connecticut.

Mr. Connor read his memo to the Commission dated August 5, 2015.

Mr. Calkins opened the hearing for public comment, and there was none.

At 8:15 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Sheaffer to APPROVE Special Exception 15-301

Applicant: Harry Lambis  
Location: 1431 East Main Street  
Proposal: Tattoo Parlor in the Local Business Zone, Section 3.1,  
Subsection 4.2.2 (tattoo parlor, body piercing studio)

with the following conditions/recommendations:

1. The applicant shall provide a copy of the CT DPH Tattoo Technician certificate to the City Planner's Office for each artist working in the Tattoo Parlor.
  2. The applicant shall address the comments from Ray Drew, Administrator, WPCA, to the City Planner contained in a memo dated 7/14/15.
  3. It is recommended that the applicant follow the advice of Fire Chief, Gary Brunoli, contained in a letter to the City Planner dated 7/14/15.
- MOTION seconded by Mr. Summers, unanimously carried.

7. **Adjournment:**

MOTION by Mr. Summers to adjourn at 8:16 p.m., seconded by Mr. Sheaffer, motion unanimously carried.

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Land Use Office  
City of Torrington